



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: WALLACH=21

ITW
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In re Application of:

David WALLACH et al

Appln. No.: 09/155,676

Filed: January 4, 1999

For: MODULATORS OF TNF RECEPTOR
ASSOCIATED FACTOR (TRAF), THEIR
PREPARATION AND USE

Conf. No.: 8997

Art Unit: 1635

Examiner: J. Epps

Washington, D.C.

November 2, 2004

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated __, of the Primary Examiner. The claims appealed are claims __.

The item(s) checked below are appropriate:

Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

\$340.00

\$170.00 (small entity)

XXX Not required (fee paid in prior appeal on May 20, 2002)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

[] First - \$ 55.00
[] Second - \$215.00
[] Third - \$490.00
[] Fourth - \$765.00

month after time period set

[] Less fees (\$_____) already paid for __ months extension of time on ____.

Other Than Small Entity
Response Filed Within

[] First - \$ 110.00
[X] Second - \$ 430.00
[] Third - \$ 980.00
[] Fourth - \$1530.00

month after time period set

A check in the amount of \$_____ is attached. (Check No. _____)

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 430.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

11/03/2004 EABUBAK1 00000067 09155676

01 FC:1252

430.00 OP

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: Roger L. Browdy
Roger L. Browdy
Registration No. 25,618

Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528

Reg. No. 37,971